BILL NO. 61

Government Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

CHAPTER 36
ACTS OF 2006

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 23, 2006

The Honourable Angus MacIsaac
Minister of Transportation and Public Works

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

2007-02999/

An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

Be it enacted by the Governor and Assembly as follows:

1 (1) Section 67 of Chapter 293 of the Revised Statutes, 1989, the *Motor Vehicle Act*, as amended by Chapter 12 of the Acts of 1994-95, Chapter 34 of the Acts of 1996, Chapter 32 of the Acts of 1998, Chapter 11 of the Acts of 1999, Chapter 44 of the Acts of 2001, Chapter 20 of the Acts of 2002, Chapter 30 of the Acts of 2002, Chapter 42 of the Acts of 2004, Chapter 32 of the Acts of 2005, Chapter 38 of the Acts of 2005 and Chapter 54 of the Acts of 2005, is further amended by adding immediately after subsection (5) the following subsection:

(5A) Notwithstanding clause (ba) of subsection (5), application may be made for restoration of a person's driver's license or privilege of obtaining a driver's license by a person where the revocation was for a violation of section 253, 254, 255 or subsection 259(4) of the *Criminal Code* (Canada) where the disqualification under subsection 259(4) was occasioned by an alcohol-related offence before the expiry of the time periods referred to in clause (ba) of subsection (5), if the Registrar permits the person to participate in an ignition interlock program as established by the regulations.

(2) Subsection 67(11) of Chapter 293, as amended by Chapter 34 of the Acts of 1996, Chapter 32 of the Acts of 1998, Chapter 20 of the Acts of 2002, and Chapter 54 of the Acts of 2005, is further amended by striking out "and ignition interlock and monitoring program" in the fourth line.

(3) Section 67 of Chapter 293 is further amended by adding immediately after subsection (11) the following subsection:

(11A)The Registrar may require that a person whose driver's license or privilege of obtaining a driver's license has been revoked on one or more occasions for an alcohol related driving offence participate in such ignition interlock program as may be prescribed by regulation made by the Governor in Council as a condition of the restoration of the person's license.

(4) Subsection 67(13) of Chapter 293, as amended by Chapter 54 of the Acts of 2005, is amended by

(a) striking out "and monitoring" in the third line; and

(b) adding ", including regulations prescribing offences and penalties for breach of the regulations**" immediately after "same" in the third line.**

2 Chapter 293 is further amended by adding immediately after Section 280 the following Section:

280A The Registrar may by written notice, from time to time, require the holder of a driver's license to participate in an ignition interlock program established pursu-

ant to the regulations and may suspend the driver's license of any person who fails to participate in such program.

3 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.